

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

Julius R. Smargiassi aka Julius R.
Smargiassi, Jr. and Karen M. Smargiassi,

Debtors

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:
: Case No. 5-16-bk-00910-JJT
:
:
: Ch. 13
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Objection to Notice of Mortgage Payment Change

The objection of the above Debtors are as follows:

1. On June 25, 2021 Wells Fargo Bank as Trustee filed a Notice of Mortgage Payment Change to indicate that the Debtors will owe a new total payment of \$562.23 as of the September 1, 2021 payment.

2. Pursuant to the Debtors' First Amended Chapter 13 Plan dated October 24, 2016 and confirmed on December 13, 2016, the balance due on the Mortgage plus post-petition interest was being paid in full through the Plan; the creditor would receive an initial payment of \$10,900.00 followed by monthly payments that would total \$30,467.40.

3. There is currently less than \$800.00 left to pay to Wells Fargo in the Plan on the Mortgage obligation, and when fully paid the Plan requires Wells Fargo to satisfy the Mortgage.

WHEREFORE, the Debtors request that this Court will direct the creditor to withdraw its Notice of Mortgage Payment Change as being inconsistent with the confirmed Chapter 13 Plan.

Dated: June 28, 2021

DORAN & DORAN, P.C.

BY: /s/ Lisa M. Doran

Lisa M. Doran, Esquire
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570-823-9111

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Certificate of Service

I certify that I am more than 18 years of age and that on June 28, 2021, a copy of the *Objection to Notice of Mortgage Payment Change* was served electronically through ECF on the parties shown below:

US Trustee
ustpreion03.ha.ecf@usdoj.gov

Jack N. Zaharopoulos
TWecf@pamd13trustee.com

Rebecca A. Solarz, Esquire
for Wells Fargo Bank
rsolarz@kmlawgroup.com

I certify under penalty of perjury that the foregoing is true and correct.

Dated: June 28, 2021

Signed: */s/ Lisa M. Doran*

69 Public Square, Suite 700
Wilkes-Barre, PA 18701